

REMARKS

The specification has been amended to correct and update the status of the applications to which the present application claims priority.

Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 are presently pending in the application. No new matter has been added.

Priority Claim

The specification has been amended to correct and update the status of the applications to which the present application claims priority. No new priority applications have been added; the only changes are to clarify the relationship (e.g., continuation, division, continuation-in-part) between the present application and certain priority applications; to indicate that the present application is not directly a continuation-in-part of U.S. application number 08/552,584, but rather that the present application is a continuation-in-part of U.S. application number 09/671,534 which is a continuation-in-part of U.S. application number 08/552,584; and to update and correct the status of certain applications. Therefore, Applicants submit that no new priority claim has been submitted.

Applicants note that the U.S. Patent Office may not have recognized the priority claim to the non-provisional applications listed in the "Cross-Reference to Related Applications"; however, a specific reference to each of these applications was included in the first sentence of the present application as originally filed (and also in the New Application Transmittal form submitted together with the application and in the Declaration and Power of Attorney submitted with the response to the Notice to File Missing Parts of Application (PTO-1533)). For at least these reasons, Applicants submit that the priority claims as herein amended are proper and that no Petition is required to correct the priority claims. Applicants respectfully request that the Office recognize the priority claim as presented herein and update all relevant records of the Office to reflect the same.

Claim rejections

Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 are pending. Claims 1, 2, 4, 5, 10, 14-17, 27 and 29 stand provisionally rejected under 35 USC 101 for alleged statutory and/or obviousness-type double patenting over the claims of co-pending (and co-owned) application USSN 10/095,897.

Applicants respectfully submit that this rejection cannot be sustained. USSN 10/095,897 is now abandoned (without prejudice to the subject matter claimed therein), thereby obviating the rejection of the instant claims. Accordingly, withdrawal of the provisional double-patenting rejections is proper and the same is requested.

Conclusion


Applicants believe that additional fees are not required in connection with this submission. However, if a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge/credit Deposit Account No. **04-1105**.

Should the Examiner wish to discuss any of the amendments and/or remarks made herein, the undersigned would appreciate the opportunity to do so.

Respectfully submitted,

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By:



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